IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL BAIL APPLICATION NO.762 OF 2006

IN

CRIMINAL APPEAL NO.1127 OF 2005

Rahim Yasin Shaikh : Applicant.

versus

State of Maharashtra : Respondent

Mr.Vikas Shivankar i/by Mr.P.R.Arjunwadkar for the applicant.

Mrs.S.D.Shinde, APP, for State.

CORAM : D.G.DESHPANDE

SMT.NISHITA MHATRE, JJ.

DATED : APRIL 04, 2007.

P.C.

1. Heard learned advocate for the applicant - original accused No.2 and learned APP for the State.

2. This is an application for bail filed by the original accused. He has been convicted by the trial Court under Section 302 read with Section 34 of the Indian Penal Code. The role attributed to him is that he was one of the four assailants. However, he did not inflict any blow to the victim who died in the incident. He only assaulted one of the witnesses by name Anwar. The other accused i.e. Kasam, Dasharath and Ganesh have been granted bail by this Court. Looking to the facts and circumstances of the case, the applicant - original accused No.2 be released on bail on his P.R. bond of Rs.15,000/- with one or two solvent sureties in the like amount. He will attend the concerned police station once in a two months in the first week till the appeal is finally disposed of. His substantive sentence is suspended, pending appeal. He will have to pay fine, if any, imposed upon him, before he is released on bail. The application is disposed off.

[D.G.DESHPANDE,J]

[SMT.NISHITA MHATRE, J]